

PATENT

Attorney Docket No.: AUSP1230-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tse et al. Art Unit: 1624
Application No.: 10/578,850 Examiner: Not Yet Assigned
I.A. Filing Date: November 8, 2004 Conf. No.: 5044
Title: METHOD OF PREPARATION OF NOVEL NUCLEOSIDE ANALOGS
AND USES

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35**U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed February 14, 2007, enclosed are:

1. One (1) copy of the Notification of Missing Requirements under 35 U.S.C. 371 mailed February 14, 2007 (2 pages);
2. Statement Regarding Lack of Sequences in Application (2 pages);
3. One (1) executed Declaration for Patent Application (5 pages);
4. One (1) Power of Attorney by Assignee (2 pages); and
5. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.10 "EXPRESS MAIL" Mailing Label Number: EV 841 623 713 US Date of Deposit: April 6, 2007	
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
JOSH GIBBS (Name of Person Mailing Paper)	
(Signature)	April 6, 2007 (Date)

In re Application of:

Tse et al.

Application No.: 10/578,850

I.A. Filing Date: November 8, 2004

Page 2

PATENT

Attorney Docket No.: AUSP1230-1


Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	19-20	=	0	X	\$25	\$50	=	[\$.00]	[\$.00]
Independent Claims	2-3	=	0	X	\$100	\$200	=	[\$.00]	[\$.00]
Multiple Dependent Claims Present: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					\$180	\$360		[\$ 180.00]	N/A
Fee for Each Additional 50 Sheets in Excess of 100 Pages					\$125	\$250		N/A	N/A
					FILING FEE			[\$ 150.00]	[\$ 300.00]
					SEARCH FEE			[\$ 50.00]	[\$ 100.00]
					EXAM FEE			[\$ 100.00]	[\$ 200.00]
					SURCHARGE FEE			[\$ 65.00]	[\$ 130.00]
					TOTAL FEE			[\$ 545.00]	

No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Date: April 6, 2007

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,850	Bruno Tse	AUSP1230-1

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INTERNATIONAL APPLICATION NO.	
PCT/US04/37505	
I.A. FILING DATE	PRIORITY DATE
11/08/2004	11/14/2003

CONFIRMATION NO. 5044
 371 FORMALITIES LETTER



OC000000022487670

Date Mailed: 02/14/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/10/2006
- Copy of the International Search Report filed on 05/10/2006
- Copy of IPE Report filed on 05/10/2006
- Preliminary Amendments filed on 05/10/2006
- Oath or Declaration filed on 05/10/2006
- Request for Immediate Examination filed on 05/10/2006
- U.S. Basic National Fees filed on 05/10/2006
- Priority Documents filed on 05/10/2006
- Specification filed on 05/10/2006
- Claims filed on 05/10/2006
- Abstracts filed on 05/10/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 15 FR 18230 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after

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September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/578,850

INTERNATIONAL APPLICATION NO.

PCT/US04/37505

ATTY. DOCKET NO.

AUSP1230-1

FORM PCT/DO/EO/905 (371 Formalities Notice)